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**MEMO ENDORSED**

By Fax (212) 805-7949 and ECF  
Honorable P. Kevin Castel  
United States District Judge  
United States District Court  
Southern District of New York  
500 Pearl Street  
New York, New York 10007

USDS SDNY  
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November 26, 2013

Re: *Estate of Mohamed Bah v. City of New York, et al.*  
1:13-cv-6690-PKC

Your Honor:

We are in receipt of a letter, dated November 22, 2013, from Defendant requesting a pre-motion conference in connection with the City's request to file a motion for partial judgment pursuant to Federal Rules of Civil Procedure Rule 12(c). We are also in receipt of the Court's inquiry to the City as to why its motion should not wait until the summary judgment stage. We suggest another basis why the City's motion is premature. As the Court is aware, Plaintiff intends to file an Amended Complaint at which time new parties and claims may be included. We contacted Corporation Counsel today to suggest that the pre-motion conference letter be withdrawn since Plaintiff would be filing an Amended Complaint.

In light of the foregoing, we respectfully suggest that the conference presently scheduled for December 4, 2013, be adjourned *sine die* pending the City's response to the Court's inquiry and receipt of the Amended Complaint.

*Application  
submitted -  
SO ORDERED  
VSD  
11-26-13*

Very truly yours,

NEWMAN FERRARA, LLP

*[Signature]*  
Randolph M. McLaughlin

cc: Counsel of record (via email)